

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 24-CV-60736-RS- Smith/Hunt

IN ADMIRALTY

BANK OF AMERICA, N.A., a national  
banking association,

Plaintiff,

vs.

BURRELL DIVERSIFIED  
INVESTEMENTS, LLC, a Delaware  
Limited Liability Company, DYLAN LUCY,  
a 2020 66 foot Zeelander motor Yacht,  
Official Number 1294109, her parts,  
appliances, equipment, substitutions, etc., *in  
rem*,

Defendants.

**PLAINTIFF BANK OF AMERICA, N.A.'S MOTION FOR ORDER DIRECTING THE  
U.S. MARSHAL TO PAY THE PROCEEDS OF SALE INTO THE REGISTRY OF THE  
COURT AND FOR THE CLERK TO DISBURSE FUNDS**

Plaintiff/Judgment Creditor, BANK OF AMERICA, N.A. ("Bank of America"), by and through its undersigned attorneys, moves this Court for an Order directing the U.S. Marshal to pay the proceeds of the sale of the M/V Dylan Lucy into the registry of the Court and for an Order disbursing the proceeds of the sale of the Dylan Lucy and in support, states as follows:

1. On April 14, 2025, this Court entered a Default Final Judgment [ECF 44], and pursuant to its Order Granting Plaintiff's Renewed Motion for Default Final Judgment Against Dylan Lucy Official NO. 1294109 and Burrell Diversified Investments LLC [ECF 43] against the *in rem* Defendant M/V Dylan Lucy in the amount of \$3,709,483.31, plus per diem interest in the amount of (amount of days since January 30, 2025 to present at \$625.81) plus post judgment interest. The Court also awarded attorney's fees, custodia legis costs incurred and retained jurisdiction to award subsequent attorneys' fees, court costs, insurance fees and custodia legis

**Case No.: 24-CV-60736-RS - Smith/Hunt**

costs.

2. On July 18, 2025, the U.S. Marshal sold the M/V Dylan Lucy for \$2,250,000.00 to Nicola Lanni [ECF 52].

3. On August 12, 2025, after no objection was received, the Clerk of Court confirmed the sale of the M/V Dylan Lucy [ECF 54].

4. Bank of America, N.A. requests an order directing the U.S. Marshal's Service to deposit the proceeds of the sale of the vessel into the Registry of the Court, less the U.S. Marshal's statutory commission and the cost of sale, pursuant to 28 U.S.C. §1921(c)(1) and 28 C.F.R. § 0.114:

|   |                       |
|---|-----------------------|
| <b>Credits:</b>                               |                       |
| Initial Deposit to USMS                       | \$3,500.00            |
| Two additional Deposits to USMS               | \$4,000.00            |
| Sale of Dylan Lucy                            | \$2,250,000.00        |
|   |                       |
| <b>Expenses:</b>                              |                       |
| USMS Sale Commission                          | \$33,765.00           |
| Bills of Sale                                 | \$20.00               |
| USMS Service Fees                             | \$605.00              |
| Willis Insurance                              | \$6,064.00            |
| Mileage                                       | \$13.40               |
| <b>Total Payable to USMS</b>                  | <b>\$40,467.40</b>    |
| <b>Total Payable to Bank of America, N.A.</b> | <b>\$2,217,032.60</b> |

5. The net proceeds of the sale of the Defendant M/V Dylan Lucy in the amount of \$2,217,032.60 should be disbursed to Plaintiff, Bank of America, N.A., who after giving proper notice of the arrest and sale of the Defendant Vessel, is the only party to assert a claim against Defendant Vessel and the only party to secure a judgment.

**WHEREFORE**, Plaintiff, Bank of America, N.A., requests the Court to enter an Order as follows:

- 1) Order the U.S. Marshal to pay the proceeds of the sale into the Registry of the Court.

**Case No.: 24-CV-60736-RS - Smith/Hunt**

- 2) Order that upon receipt in the Registry, the Clerk of Court must disburse the balance of the funds in the Registry to the Liebler, Gonzalez & Portuondo Trust Account.

Dated: August 18, 2025.

Respectfully submitted,

/s/ Nicole Zimmerman  
**LIEBLER, GONZALEZ & PORTUONDO**  
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BARIS J. OKULAR  
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NICOLE ZIMMERMAN  
Florida Bar No. 19595

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18<sup>th</sup> day of August, 2025, the foregoing was electronically filed with the Clerk of Court using CM/ECF to: Adam B. Cooke, [acooke@fowler-white.com](mailto:acooke@fowler-white.com), Robert D. McIntosh [rmcintosh@fowler-white.com](mailto:rmcintosh@fowler-white.com), Charles S. Davant, Esq., [csd@davantlaw.com](mailto:csd@davantlaw.com), Melaina Haisfield, Esq., [mdh@davantlaw.com](mailto:mdh@davantlaw.com) and all those parties receiving electronic notice in the above-referenced case and via U.S. Mail to Burrell Investment Diversified Investments, LLC c/o National Registered Agents, 1209 Orange Street, Wilmington, DE 19801.

/s/ Nicole Zimmerman  
NICOLE ZIMMERMAN